UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/688,165	10/17/2003	Bala Rajagopalan	.	9542

				EXAMINER
34465	7590	07/27/2005		MANOHARAN, MUTHUSWAMY GANAPATHY

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ART UNIT	PAPER NUMBER
2683	

DATE MAILED: 07/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO 90C (Rev 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/688,165	RAJAGOPALAN, BALA
	Examiner	Art Unit	
	Muthuswamy G. Manoharan	2683	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>*18 October 2002*</u>.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>*1-4*</u> is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) <u>*1-4*</u> is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a)☐ All b)☐ Some * c)☐ None of:
  1.☐ Certified copies of the priority documents have been received.
  2.☐ Certified copies of the priority documents have been received in Application No. _____.
  3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
 * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)
1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
  Paper No(s)/Mail Date _____.
4)☐ Interview Summary (PTO-413)
  Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

Specification

The disclosure is objected to because of the following informalities:

Typographical error in Paragraph [0042] line 3 where the word "butbuttons6)" needs to

be replaced. Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Meins et al. (hereinafter Meins) (U.S. 6,587,700) in view of Kaply et al. (hereinafter

Kaply) (U.S. 2002/0191020) and further in view of Tanaka et al. (hereinafter Tanaka)

(US 2002/0111179).

Regarding claim 1, Meins teaches a handheld, portable electronic computing and

communication device comprising: a compact housing (Figure 2), a processor, read-

only and random access primary memory (items 215 and 216 in Figure 2;Col. 5, lines

27-30), optical and/or magnetic mass secondary storage mechanism (Col. 5, line 31), a

large touch sensitive (Col. 7, line 57) primary LCD, an auxiliary LCD (items 303 and 323

in Figure 4, Col. 2, lines 15-18), a battery-backed random access memory module, high-

speed serial/audio-in/audio-out/DC-in interfaces (items 429 and 409 in Figure 4), audio

and video codecs, interfaces for a wireless data communication transceiver, and battery

power supply (item 207 in Figure 2, col. 3, lines 63-65) and power management logic

(Col. 9, lines 30-40); a software operating system with a well-defined application-

programming interface (API) (Col. 5, lines 33-35; Col. 5, lines 63-66) and personal

information stored in non-volatile primary memory; a graphical user interface for

accessing personal information, commanding the execution of software applications

present in primary memory or secondary storage, and for configuring and controlling the

device (Col. 7, lines 53-56).

However, Meins does not teach expressly, a web browser application, and game

control buttons for intuitive two-handed operation and an external game controller.

However, Kaply in an analogous art teaches a web browser application (Paragraph

[0030] lines 3-6; Paragraph [0032] lines 1-10). Therefore, it would have been obvious to

one skill in the art at the time of invention to install a software operating system with a

web browser application. This would enhance the system capability and one can

perform Internet applications as well.

Moreover, neither Meins nor Kaply teach specifically game control buttons for

intuitive two-handed operation and an external game controller. However, Tanaka

teaches in an analogous art, game control buttons for intuitive two-handed operation

and an external game controller (item 20 in Figure 19). It would have been further

obvious to one skill in the art at the time of invention to add game control buttons for

intuitive two-handed operation and an external game controller so as to provide user-

friendly means to play video games.

Regarding claim 2, Meins in view of Kaply and further in view of Tanaka teaches all the particulars of claim 1. Meins also teaches the device of the claim 1, wherein when used as an audio player, the primary LCD and other unused electronics are shut down and the auxiliary LCD is used for displaying information pertaining to the audio being played; when in the "stand-by" mode, the primary LCD and other unused electronics are shut down and the auxiliary LCD is used for displaying notification messages pertaining to device status, incoming communication requests, presence of nearby users, etc (Col. 9, lines 31-41).

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Meins Meins in view of Kaply, further in view of Tanaka, and further view of Mattews et al. (hereinafter Matthews) (U.S. 5,724,492).

Regarding claim 3, Meins in view of Kaply, further in view of Tanaka, and further view of Mattews teaches all the particulars of claim 1. .

Kaply, teaches the device of claim 1 (Paragraph [0029], line 15), wherein the operating system or a built-in software application allows the user with the knowledge of a pre-configured password to set a numeric or textual access level value that is protected from modification by other users (Paragraph [0034], line 16); records the identity of all the applications executed and the Universal Resource Locators (URL) of all the Internet sites accessed in non-volatile memory (Paragraph [0032], lines 8-11; allows the recorded information to be viewed and removed only by users with the knowledge of a preconfigured password (Paragraph [0033], lines 13-17).

Moreover, Meins in view of Kaply and further in view of Tanaka does not teach expressly the device of claim 1, wherein the operating system or a built-in software application when the execution of a software application contained in the optical or magnetic storage medium is attempted, reads rating information embedded in the medium or the application, maps it to an access level value, compares this value with the value stored in the device, and blocks the execution of the application if the comparison indicates an impossible access level. Matthews, however, teaches the device of claim 1(Figure 4, Col. 5, line 19) wherein the operating system or a built-in software application when the execution of a software application contained in the optical or magnetic storage medium is attempted, reads rating information embedded in the medium or the application, maps it to an access level value, compares this value with the value stored in the device, and blocks the execution of the application if the comparison indicates an impossible access level (Page 14, lines 31-39). Therefore, it would have been further obvious to one skill in the art at the time of invention to install the built-in software application when the execution of a software application contained in the optical or magnetic storage medium is attempted, reads rating information embedded in the medium or the application, maps it to an access level value, compares this value with the value stored in the device, and blocks the execution of the application if the comparison indicates an impossible access level. This modification is required in order to provide a safe and secure system.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Meins Meins in view of Kaply, further in view of Tanaka, further in view of Kagan (U.S 5,618,045).

Regarding claim 4, Meins in view of Kaply, further in view of Tanaka, and further view of Mattews teaches all the particulars of claim 1. Moreover, Meins in view of Kaply, further in view of Tanaka, and further view of Mattews does not teach expressly the device of the claim, wherein wireless communication is used to broadcast the pre-configured identity of the user periodically (if so desired by the user) in a uniquely recognizable message and receive similar messages broadcast by other instances of the devices so as to automatically discover the identities of other users within wireless range; permit textual and audio communication between a pair of users who detect each other's presence automatically; control a software application executing in the device by another instance of the application executing remotely. However, Kagan in an analogous art, teaches the device of the claim, wherein wireless communication is used to broadcast the pre-configured identity of the user periodically (if so desired by the user) in a uniquely recognizable message and receive similar messages broadcast by other instances of the devices so as to automatically discover the identities of other users within wireless range (Col. 3, lines 28-31); permit textual and audio communication between a pair of users (Col. 2, lines 17-24) who detect each other's presence automatically; control a software application executing in the device by another instance of the application executing remotely (Col. 3, lines 13-15).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Muthuswamy G. Manoharan whose telephone number is 571-272-5515. The examiner can normally be reached on 7:30AM-4: 30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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